

1 ARIEL E. STERN, ESQ.  
Nevada Bar No. 8276  
2 TENESA POWELL, ESQ.  
Nevada Bar No. 12488  
3 AKERMAN LLP  
1635 Village Center Circle, Suite 200  
4 Las Vegas, Nevada 89134  
Telephone: (702) 634-5000  
5 Facsimile: (702) 380-8572  
Email: ariel.stern@akerman.com  
6 Email: tenesa.powell@akerman.com

7 *Attorneys for New Penn Financial LLC*  
8 *d/b/a Shellpoint Mortgage Servicing as*  
9 *Servicer for the Bank of New York Mellon*  
10 *fka the Bank of New York as Trustee for the*  
11 *Certificate Holders of CWMBS, Inc. CHL*  
12 *Mortgage Pass Through Trust 2006-21*  
13 *Mortgage Pass Through Certificates Series*  
14 *2006-21, Bank of America, N.A. and*  
15 *Resurgent Mortgage Servicing a Division of*  
16 *Resurgent Capital Services, LP*

# UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

15 CONSTANZA E. MANCILLA DE AREIZAGA,

16 Plaintiff,

17 vs.

18 NEW PENN FINANCIAL LLC D/B/A  
19 SHELLPOINT MORTGAGE SERVICING AS  
20 SERVICER FOR THE BANK OF NEW YORK  
21 MELLON FKA THE BANK OF NEW YORK,  
22 AS TRUSTEE FOR THE CERTIFICATE  
23 HOLDERS OF CWMBS, INC. CHL  
24 MORTGAGE PASS THROUGH; BANK OF  
AMERICA, N.A. FKA COUNTRYWIDE  
HOME LOANS SERVICING, LP;  
RESURGENT MORTGAGE SERVICING A  
DIVISION OF RESURGENT CAPITAL  
SERVICES LP; SABLES, LLC; DOES 1-10;  
ROE CORPORATIONS 1-20; INCLUSIVE,

25 Defendants.

Case No.: 2:18-cv-02072-APG-NJK

## STIPULATION AND ORDER TO REMAND

26 Defendants New Penn Financial LLC d/b/a Shellpoint Mortgage Servicing as Servicer for the  
27 Bank of New York Mellon fka the Bank of New York as Trustee for the Certificate Holders of  
28 CWMBS, Inc. CHL Mortgage Pass Through Trust 2006-21 Mortgage Pass Through Certificates

Series 2006-21, Bank of America, N.A. and Resurgent Mortgage Servicing a Division of Resurgent Capital Services, LP (**Defendants**) and Plaintiff Constanza E. Mancilla De Areizaga (**Areizaga**), by and through their respective counsel of record, hereby stipulate and agree as follows:

The parties stipulate that this action shall be remanded to the Eighth Judicial District Court, Clark County, Nevada, Case No. A-18-781351-C, with each party to bear its own fees and costs.

DATED: November 13, 2018.

**AKERMAN LLP**

/s/ Tenesa S. Powell

ARIEL E. STERN, ESQ.

Nevada Bar No. 8267

TENESA POWELL, ESQ.

Nevada Bar No. 12488

1635 Village Center Circle, Suite 200

Las Vegas, Nevada 89134

*Attorneys for New Penn Financial LLC d/b/a Shellpoint Mortgage Servicing as Servicer for the Bank of New York Mellon fka the Bank of New York as Trustee for the Certificate Holders of CWMBS, Inc. CHL Mortgage Pass Through Trust 2006-21 Mortgage Pass Through Certificates Series 2006-21*

**ALDRICH LAW FIRM, LTD.**

/s/ Catherine Hernandez

JOHN P. ALDRICH, ESQ.

Nevada Bar No. 6877

CATHERINE HERNANDEZ, ESQ.

Nevada Bar No. 8410

1601 S. Rainbow Blvd. Suite 160

Las Vegas, Nevada 89146

*Attorneys for Constanza E. Mancilla De Areizaga*

**ORDER**

**IT IS SO ORDERED.**

Dated: November 14, 2018.

  
UNITED STATES DISTRICT COURT JUDGE